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8 *Attorneys for Plaintiff*

9 [Additional counsel on signature block]

10 **IN THE UNITED STATES DISTRICT COURT
 11 FOR THE DISTRICT OF NEVADA**

12 DENISE DEANGELIS, derivatively on behalf of
 13 ANAVEX LIFE SCIENCES CORP.,

14 Plaintiff,

15 vs.

16 CHRISTOPHER MISSLING, PETER
 17 DONHAUSER, JIONG MA, ATHANASIOS
 18 SKARPELOS, STEFFEN THOMAS, and
 19 CLAUS VAN DER VELDEN,

20 Defendants,

21 and

22 ANAVEX LIFE SCIENCES CORP.,

23 Nominal Defendant.

24 Case No.: 2:24-cv-00891-JCM-MDC

25 **SECOND STIPULATION EXTENDING
 26 TIME FOR PLAINTIFF TO RESPOND TO
 27 NOMINAL DEFENDANT ANAVEX LIFE
 28 SCIENCES CORP.'S OPPOSITION (ECF
 NO. 8) AND COUNTERMOTION (ECF NO.
 11)**

(Second Request)

29 The parties to the above-captioned action hereby stipulate to extend the amount of time for plaintiff
 30 Denise Deangelis (“Plaintiff”) to: (1) reply to Nominal Defendant Anavex Life Sciences Corp.’s
 31 (“Anavex” or the “Company”) Response to Motion for Entry of Clerk’s Default (the “Opposition”) filed
 32 October 8, 2024 (ECF No. 8); and (2) respond to Anavex’s separately filed Counter Motion for Scheduling
 33 Order filed October 9, 2024 (ECF No. 11) and in support thereof state as follows:

34 WHEREAS, on May 13, 2024, Plaintiff filed a Verified Shareholder Derivative Complaint on
 35 ~~SECOND STIPULATION AND [PROPOSED] ORDER EXTENDING TIME FOR PLAINTIFF TO
 36 RESPOND TO NOMINAL DEFENDANT ANAVEX LIFE SCIENCES CORP.'S OPPOSITION AND
 37 COUNTERMOTION~~

1 behalf of Nominal Defendant Anavex in this Court alleging causes of action for breach of fiduciary duties,
2 unjust enrichment, waste of corporate assets, gross mismanagement, abuse of control, and violations of
3 Section 14(a) of the Securities Exchange Act of 1934 (the “Exchange Act”) against defendants Christopher
4 Missling (“Missling”), Peter Donhauser, Jiong Ma, Athanasios Skarpelos, Steffen Thomas, and Claus van
5 der Velden (collectively, the “Individual Defendants,” and together with Anavex, the “Defendants”), and
6 against Defendant Missling for contribution under Sections 10(b) and 21D of the Exchange Act (ECF No.
7 1);

9 WHEREAS, on July 1, 2024, Plaintiff personally served the registered agent of Nominal
10 Defendant Anavex (ECF No. 5);

11 WHEREAS, on September 26, 2024, Plaintiff filed a Request to the Clerk of the Court to Enter
12 Default as to Anavex (ECF No. 7);

13 WHEREAS, on October 8, 2024, Anavex filed a Response to Motion for Entry of Clerk’s Default
14 (the “Opposition”) (ECF No. 8);

15 WHEREAS, on October 9, 2024, Anavex separately filed a Counter Motion for Scheduling Order
16 (the “Countermotion”) (ECF No. 11);

17 WHEREAS, on October 15, 2024, the parties jointly filed a Stipulation Extending Time for
18 Plaintiff to Respond to Nominal Defendant Anavex Life Sciences Corp.’s Opposition (ECF No. 8) and
19 Countermotion (ECF No. 11), requesting that the Court extend the deadline for Plaintiff to respond to both
20 the Opposition and the Countermotion by one week, which the Court so ordered on October 16, 2024 (the
21 “Order”) (ECF Nos. 12, 13);

22 WHEREAS, pursuant to the Order, Plaintiff’s current deadline to reply to the Opposition is
23 October 22, 2024;

24 WHEREAS, pursuant to the Order, Plaintiff’s current deadline to respond to the Countermotion is
25 October 30, 2024;

1 WHEREAS, counsel for Plaintiff and counsel for Anavex have continued to meet and confer
 2 regarding the Opposition and Countermotion and the most efficient way to proceed and agree that a two-
 3 week extension of Plaintiff's deadline to reply to the Opposition, and a two-week extension of Plaintiff's
 4 deadline to respond to the Countermotion are reasonable while the parties continue to discuss next steps
 5 to be taken in the case.

6 THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and among the respective
 7 parties hereto, that:

8

- 9 1. Plaintiff's deadline to reply to the Opposition shall be November 5, 2024.
- 10 2. Plaintiff's deadline to respond to the Countermotion shall be November 13, 2024.

12 Respectfully submitted,

13 Dated: October 22, 2024

14 **LEVERTY & ASSOCIATES LAW CHTD.**

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Dated: October 22, 2024

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Attorneys for Nominal Defendant Anavex Life Sciences Corp.

IT IS SO ORDERED:

Hon. Maximiliano D. Couvillier III
United States Magistrate Judge

DATED: 10/28/2024